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Patrick Romano

June 16, 2023

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Patrick Romano, et al.

vs.

Torch Electronics, LLC, et al.

<p>1 Q. The first time you claim you lost \$3, 2 correct? 3 A. Yes. 4 Q. How much did you play? 5 A. I put in a \$20 bill. I played for a couple 6 of minutes, and I gave up. I knew I couldn't win. 7 Q. We'll get back to that in a second. 8 The second time you claim you lost \$20, 9 correct? 10 A. Yes. 11 Q. And the third time you claim you lost \$18, 12 correct? 13 A. Yes. 14 Q. So, in total, is it fair to say you're 15 claiming to have lost \$41 by playing Torch devices? 16 A. Yes. 17 Q. Are there any other places that you have 18 ever played a Torch device? 19 A. No. 20 Q. Do you know Mohammed Almuttan? 21 A. No. 22 Q. Does that name mean anything at all to you? 23 A. No. 24 Q. Have you ever been to a place called 25 "Mally?"</p> <p>14</p>	<p>1 nothing about them. I don't know who they are. 2 Q. To the best of your knowledge, have you ever 3 been to a market or a store called Mally? 4 A. No. 5 Q. The first time you saw one of these devices, 6 that appears to have been in Kingdom City, Missouri? 7 A. Yes. 8 Q. January 3rd? 9 A. Yes. 10 Q. What time of day was that, approximately? 11 A. 7:30, quarter to 8:00 in the morning. Cause 12 I usually leave St. Louis at 6:00 o'clock in the 13 morning. 14 Q. What, if anything, did you read or review 15 about the device that you played prior to playing it? 16 A. Nothing. 17 Q. So, to the extent that Torch or any other 18 entity put out any written materials about how the 19 device operated or what, if anything, the device was 20 or would do, is it fair to say you did not review any 21 of those prior to deciding to play a Torch device? 22 A. Yes. 23 Q. Why did you play the device? 24 A. I wanted to win money. It's a gamble. 25 Q. Did you consider it gambling?</p> <p>16</p>
<p>1 A. No. 2 Q. To be clear, as you sit here today 3 testifying in this deposition, are you claiming to 4 have been damaged or injured in any way, shape, or 5 form by either Mohammed Almuttan or Mally, Inc.? 6 A. I don't know them. So, I can't give you a 7 direct answer. 8 Q. Are you claiming that you've suffered any 9 sort of injury or monetary loss or -- 10 A. I suffered monetary loss. 11 Q. As a result of anything that Mohammed 12 Almuttan or Mally? 13 A. I don't know. 14 Q. Or any of their activities? 15 A. I don't know who they are. 16 Q. Okay. So, let me ask this a different way. 17 Can you articulate today any ways in which 18 you claim to have suffered any injury, damage, or 19 economic loss as a result of any conduct by Mohammed 20 Almuttan, or Mally, Inc.? 21 A. I can answer the same way. I do not know 22 them. I've lost money in these machines. I was 23 gambling with a \$20 bill in each machine. A couple 24 minutes. Didn't win. Left. 25 The names you're asking about, I know</p> <p>15</p>	<p>1 A. I do consider it gambling. 2 Q. At the time did you consider it gambling? 3 A. I've always considered it gambling, yes. 4 Q. Are you a gambler? 5 A. No. 6 Q. Approximately how many times a year do you 7 engage in activities that you consider gambling? 8 A. Those three times. I -- I do not gamble. 9 Q. Do you go to casinos? 10 A. Yes. 11 Q. How many times a year do you go to casinos? 12 A. Twice a month I take my wife. 13 Q. To a particular one or to multiple? 14 A. River City and Hollywood. 15 Q. Are you a member of any casino, for lack of 16 a better way of putting it, rewards programs where 17 they track what you play? 18 A. I have a card, but I never play. 19 Q. Is the card in your name? 20 A. Well, my wife has a card. And I may have 21 gotten a card about 10 or 15 years ago, but I've never 22 played. 23 Q. So, when you go to a casino with your wife, 24 what do you could? 25 A. I manage her money.</p> <p>17</p>

<p>1 Q. What does that mean?</p> <p>2 A. That means if she loses too much, I have to</p> <p>3 take her out of the casino.</p> <p>4 Q. How much is too much?</p> <p>5 A. She's on a \$200 budget whenever we go.</p> <p>6 Q. Do you ever gamble in horse tracks or dog</p> <p>7 races, or any online betting, sports betting, anything</p> <p>8 along those lines?</p> <p>9 A. No.</p> <p>10 Q. So, what was different about this</p> <p>11 January 3rd, 2023, morning that inspired you to say I</p> <p>12 want to make some money?</p> <p>13 A. Oh, what the hell. I'll put in a \$20 bill</p> <p>14 and see if I can win some money.</p> <p>15 Q. Prior to putting the \$20 bill into the</p> <p>16 machine or into the device, what, if anything, did you</p> <p>17 do with respect to the device?</p> <p>18 A. Can you repeat that?</p> <p>19 Q. Prior to putting money into the device --</p> <p>20 A. Yeah.</p> <p>21 Q. -- what, if anything, did you do with</p> <p>22 respect to the device?</p> <p>23 Did you interact with it?</p> <p>24 Did you push any buttons?</p> <p>25 A. No. I didn't touch it.</p> <p style="text-align: right;">18</p>	<p>1 I got up and left.</p> <p>2 Q. And to be clear, you left with \$17, correct?</p> <p>3 A. Yes.</p> <p>4 Q. Of the five or less times that you played,</p> <p>5 there were specific instances where you did win,</p> <p>6 correct?</p> <p>7 A. Yeah, yes.</p> <p>8 Q. Then, is it fair to say that you decided to</p> <p>9 continue pressing your luck, so to speak, in the hopes</p> <p>10 of winning more?</p> <p>11 A. Yes.</p> <p>12 Q. You testified that the reason you decided to</p> <p>13 play on January 3rd of 2023 was because you wanted to</p> <p>14 win money, correct?</p> <p>15 A. Yes.</p> <p>16 Q. Would you agree with me that you would be</p> <p>17 speculating as to why everyone that's ever played one</p> <p>18 of these devices chose to play on any given time?</p> <p>19 In other words, you would have no idea why</p> <p>20 those people played, what their motive was?</p> <p>21 A. Correct.</p> <p>22 Q. And would you agree --</p> <p>23 A. I would assume that whoever plays on these</p> <p>24 machines wants to win money.</p> <p>25 Q. And I appreciate your clarification. I</p> <p style="text-align: right;">20</p>
<p>1 Q. What happened when you -- what game did you</p> <p>2 play?</p> <p>3 A. Oh, I couldn't tell you. I do not know.</p> <p>4 Q. What do you recall about the experience of</p> <p>5 the device?</p> <p>6 A. It has bells and whistles, and that's it.</p> <p>7 I -- I don't -- I don't know what it -- what kind of</p> <p>8 game it was. I don't remember the graphics on the</p> <p>9 front screen. I can't tell you anything more than</p> <p>10 that.</p> <p>11 Q. Approximately how many -- first of all, on</p> <p>12 January 3rd, 2023, was it just one session of play, so</p> <p>13 to speak?</p> <p>14 A. Yeah, it was a couple of minutes.</p> <p>15 Q. Approximately how many --</p> <p>16 A. How many times did I hit the button?</p> <p>17 Q. Sure.</p> <p>18 A. Only a few times.</p> <p>19 Q. Less than five?</p> <p>20 A. Yeah, I would say five or less.</p> <p>21 Q. What were the results, so to speak, every</p> <p>22 time you did it in those approximately five or less</p> <p>23 times?</p> <p>24 A. I put in a dollar, maybe won \$2, and then</p> <p>25 lost on the next one. And I never recouped my \$20, so</p> <p style="text-align: right;">19</p>	<p>1 don't want you to assume anything. You're under oath</p> <p>2 in a deposition just answering questions.</p> <p>3 A. Okay.</p> <p>4 Q. And so, I think you already answered my</p> <p>5 question, but it would be just that it would be an</p> <p>6 assumption, it would be speculation as to why people</p> <p>7 play, correct?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. After January 3rd of 2023, was the</p> <p>10 next time you played January 28th of 2023?</p> <p>11 A. Yes.</p> <p>12 Q. And that was inside a Las Trojas restaurant?</p> <p>13 A. Yes.</p> <p>14 Q. If I'm pronouncing that correctly.</p> <p>15 A. I think so. Cause I don't know the correct</p> <p>16 pronunciation either. It's a Mexican restaurant.</p> <p>17 Q. We'll go with Las Trojas.</p> <p>18 To the best of your knowledge, does Mohammed</p> <p>19 Almuttan or Mally, Inc., do either of those Defendants</p> <p>20 that you sued in this lawsuit, have anything to do</p> <p>21 with the Las Trojas restaurant in Jefferson City,</p> <p>22 Missouri?</p> <p>23 A. No.</p> <p>24 Q. Do they have anything to do with the</p> <p>25 FastLane in Kingdom City, Missouri?</p> <p style="text-align: right;">21</p>

<p>1 A. I have no idea.</p> <p>2 Q. Do they have anything to do with the</p> <p>3 FastLane in Jonesburg, Missouri?</p> <p>4 A. I have no idea.</p> <p>5 Q. What time of day did you play the Torch --</p> <p>6 what you believe was the Torch device in Las Trojas</p> <p>7 restaurant?</p> <p>8 A. I was there with my wife for dinner, so</p> <p>9 maybe about 8 -- about 7:00 o'clock because they were</p> <p>10 starting to get busy.</p> <p>11 Q. Why did you play that particular machine or</p> <p>12 device?</p> <p>13 A. They sat us over close to the bar. And when</p> <p>14 I was looking at the bar, there was a machine down at</p> <p>15 the end of the bar, and I thought, I'm going to throw</p> <p>16 in a \$20 bill.</p> <p>17 Q. For what reason?</p> <p>18 A. To win money. Pay for my dinner.</p> <p>19 Q. After you lost the \$3 --</p> <p>20 A. I lost \$20 on that machine.</p> <p>21 Q. After you lost the \$3 25 days before --</p> <p>22 A. Uh-huh.</p> <p>23 Q. -- what made you think you would make money?</p> <p>24 A. I don't. I took a gamble.</p> <p>25 Q. How long did you sit down in that section in</p> <p style="text-align: right;">22</p>	<p>1 A. I always think I'm gonna win, yes.</p> <p>2 Q. When you played on January 28th, so that --</p> <p>3 going back to that Las Trojas restaurant day.</p> <p>4 A. Okay.</p> <p>5 Q. Were there any instances where you won?</p> <p>6 A. I can say yes. I don't know the exact</p> <p>7 amount, but it was -- I think the biggest one, I won</p> <p>8 \$6, and then, I put the money right back in trying to</p> <p>9 win at least my money back plus whatever else I won.</p> <p>10 (Sneezing.)</p> <p>11 THE WITNESS: Bless you.</p> <p>12 Q. Similarly, on February 2nd at the FastLane</p> <p>13 in Jonesburg, Missouri, approximately how many times</p> <p>14 did you interact with that device?</p> <p>15 A. I don't have an exact answer for you.</p> <p>16 Q. You also put \$20 in?</p> <p>17 A. Yes.</p> <p>18 Q. And you left with \$2?</p> <p>19 A. Correct. Yes.</p> <p>20 Q. Similarly, you won some instances, you lost</p> <p>21 some instances?</p> <p>22 A. Yep.</p> <p>23 Q. Is that accurate?</p> <p>24 A. Yes.</p> <p>25 Q. And like I asked you before, these were the</p> <p style="text-align: right;">24</p>
<p>1 Las Trojas restaurant?</p> <p>2 A. Oh, it was only about five minutes, and my</p> <p>3 drinks came to the table, and I got off the machine.</p> <p>4 I wasn't going to put another \$20 in.</p> <p>5 Q. How many -- do you remember on that</p> <p>6 particular time --</p> <p>7 A. I don't.</p> <p>8 Q. -- what specific game you played?</p> <p>9 A. I don't.</p> <p>10 Q. Do you remember approximately how many times</p> <p>11 you pushed the button specifically?</p> <p>12 A. No, I don't.</p> <p>13 Q. Now, on February 2nd, 2023, that was</p> <p>14 approximately five or so days after Las Trojas, you</p> <p>15 were in a FastLane in Jonesburg.</p> <p>16 A. Yes.</p> <p>17 Q. What time of day, approximately?</p> <p>18 A. That would have been an early morning.</p> <p>19 7:00 o'clock.</p> <p>20 Q. Why did you play what you believed was a</p> <p>21 Torch device on that day?</p> <p>22 A. Caught my eye as I was walking out the door,</p> <p>23 and had a \$20 bill in my pocket, and I thought I'd</p> <p>24 gamble with it.</p> <p>25 Q. Did you think you would win?</p> <p style="text-align: right;">23</p>	<p>1 only three times you've ever interacted with what you</p> <p>2 believe was a Torch device, meaning played a Torch</p> <p>3 device?</p> <p>4 A. Yes.</p> <p>5 Q. Would you agree with me that you voluntarily</p> <p>6 played these devices?</p> <p>7 A. Yes.</p> <p>8 Q. When you played these devices, were there a</p> <p>9 number of Torch devices in these three locations or</p> <p>10 just one?</p> <p>11 A. FastLane in Jonesburg had maybe five</p> <p>12 machines. And I picked the corner machine closest to</p> <p>13 the door.</p> <p>14 Q. I'll show you what we've previously marked</p> <p>15 in a prior deposition as Exhibit 1.</p> <p>16 ATTORNEY GELFAND: Which I will represent</p> <p>17 for the benefit of the parties by Zoom is just a copy</p> <p>18 of the Class Action Complaint that was filed in this</p> <p>19 case.</p> <p>20 Q. (By Attorney Gelfand) Do you recognize that</p> <p>21 document?</p> <p>22 A. I've read it before, yes.</p> <p>23 Q. When's the first time that you read that</p> <p>24 document?</p> <p>25 A. Within the last week.</p> <p style="text-align: right;">25</p>

<p>1 Q. So, to be clear, is it fair to say you did 2 not read this document prior to it being filed? 3 A. That I'd have to ask. 4 Q. You can't ask any -- you know whether you 5 read it prior to it being filed? 6 A. Well, I -- I don't -- I guess so. 7 Q. Let me ask this. This was filed, based on 8 the court stamp, on March 3rd of 2023 -- 9 A. Okay. 10 Q. -- so it was well more than a week ago. 11 A. Okay. 12 Q. So, is it fair to say you did not read this 13 document prior to it being filed? 14 A. Correct. Yes. 15 Q. Why did you -- or why do you want to be a 16 class representative in the event that the court 17 certifies a class -- a class action? 18 A. I can go back along ways. I used to gamble 19 a lot. It was a bad habit. And I know this is 20 gambling. And I thought the machines were legal. 21 I happened to be talking to my attorney one 22 time, not too long ago, and -- about a different case, 23 and I happened to tell him about this, and he told me 24 that they were illegal machines. And the best thing 25 for it, if it was illegal, take 'em off the street.</p> <p style="text-align: right;">26</p>	<p>1 A. Correct. 2 Q. And you've testified that you know nothing 3 about these -- this individual or this entity, 4 correct? 5 A. Yes. 6 Q. Paragraph 17 states that: On or about 7 April 6th, 2022, Defendant Mohammed Almuttan pled 8 guilty to knowingly violating two statutes for his 9 involvement in a conspiracy to defraud the United 10 States through the use -- I'm sorry -- through the 11 sale of contraband cigarettes. 12 Do you see that in 17 where I just read? 13 A. Yes. 14 Q. Is that true? 15 A. If it says so. 16 Q. It has to be true just because it says? I 17 see. 18 A. Well, I can't answer to it. I can't give 19 you a true answer. I know nothing about that. 20 Q. Okay. Paragraph 18 references that: 21 Defendant Mohammed Almuttan was involved in a scheme 22 to bribe aldermen in the City of St. Louis, including 23 Board President, Lewis Reed; 21st Ward Alderman, John 24 Collins-Mohammed; and 22nd Ward Alderman, Jeffrey 25 Boyd. This scheme led to the federal criminal</p> <p style="text-align: right;">28</p>
<p>1 Go to the casino where it's legal. 2 Q. Let's back up for a second. 3 Why do you believe they are an illegal 4 machine? 5 A. I was told they were illegal. 6 Q. What are you hoping to get out of this 7 lawsuit? 8 A. The machines taken off the street. Cause I 9 know how addicting they can be. 10 Q. So, to be clear, you're not sitting here 11 hoping to obtain money for any sort of injuries or 12 losses? 13 A. I'd be -- I would be happy to see them off 14 the street. 15 Q. Is that a "yes" to my question? 16 A. Yes. Sorry. 17 Q. That's okay. Have you been promised 18 anything in exchange for being the class 19 representative if, in fact, you are a class 20 representative in a class action? 21 A. No. 22 Q. There are certain allegations in the 23 complaint related specifically to Mohammed Almuttan 24 and Mally, Inc. These are the two entities I 25 previously asked you about. Correct?</p> <p style="text-align: right;">27</p>	<p>1 conviction of the three aldermen. 2 Is that true? 3 A. I have heard that in the news only because I 4 recognize Lewis Reed. I had met him once before, 5 maybe 20 years ago. 6 Q. Do you have any firsthand knowledge about 7 whether anything -- 8 A. No. 9 Q. -- that I just read happened? 10 A. Nope. 11 Q. Paragraph 20 references that Mally owns and 12 operates a convenience store at 7445 West Florissant 13 Avenue, St. Louis, Missouri. 14 As I previously asked you more broadly about 15 Mally, have you ever been to a convenience store at 16 that location? 17 A. No. 18 Q. Is everything in this lawsuit true? 19 A. I haven't read everything word for word. 20 Q. So, is it fair to say that sitting here 21 today under oath, your truthful answer is you have no 22 idea whether everything in this lawsuit is true? 23 A. I'm assuming that, once again, if it -- if 24 it was filed with the -- with the courts, then it's 25 true.</p> <p style="text-align: right;">29</p>

<p>1 You're asking me a legal question that I</p> <p>2 can't answer.</p> <p>3 Q. Is every fact stated in this lawsuit true?</p> <p>4 A. I can't answer.</p> <p>5 Q. Because you don't know.</p> <p>6 A. I don't know.</p> <p>7 Q. You testified that your goal in this lawsuit</p> <p>8 is that you want these Torch devices essentially --</p> <p>9 A. Wiped out. Off the street.</p> <p>10 Q. -- mushed, wiped out?</p> <p>11 A. Yep.</p> <p>12 Q. You want no one to be able to play these</p> <p>13 Torch devices; is that correct?</p> <p>14 A. Yes.</p> <p>15 Q. Would you agree with me that some people who</p> <p>16 play these Torch devices may not want that same goal?</p> <p>17 A. I don't know their thinking. So, I can't</p> <p>18 answer that correctly.</p> <p>19 Q. Would it be fair to assume that --</p> <p>20 A. You told me not to assume, and now you're</p> <p>21 assuming.</p> <p>22 Q. And now I'm asking you to assume. That's</p> <p>23 fair. Common sense, though.</p> <p>24 Would it be fair to assume that some people</p> <p>25 want to continue playing these devices?</p> <p>30</p>	<p>1 testified playing --</p> <p>2 A. Uh-huh.</p> <p>3 Q. -- if you recall, were there any notices or</p> <p>4 words written on those devices?</p> <p>5 A. No. That -- I can't recall that, no.</p> <p>6 Q. Meaning there may have been, there may not</p> <p>7 have been, correct?</p> <p>8 A. Correct.</p> <p>9 Q. If there were, you didn't rely on any of</p> <p>10 that to play, correct?</p> <p>11 A. I did not read any -- anything.</p> <p>12 Q. And you can't rely on something you don't</p> <p>13 read, correct?</p> <p>14 A. Correct.</p> <p>15 Q. Do you know personally any of the other</p> <p>16 named Plaintiffs in this lawsuit?</p> <p>17 A. No, I do not.</p> <p>18 Q. So, to be clear, Joshua Wilson, Miss</p> <p>19 Christensen, Mr. Cordaro, Miss Weaver, Miss McGee, and</p> <p>20 Miss Bolden, have you ever met or spoken with any of</p> <p>21 those people?</p> <p>22 A. Yesterday was the first time I was</p> <p>23 introduced to them. And as I was coming in, they were</p> <p>24 going out. So, I didn't know if they had their depo</p> <p>25 yesterday or what.</p> <p>32</p>
<p>1 A. Yes.</p> <p>2 Q. In other words, what you want out of this</p> <p>3 lawsuit may not be --</p> <p>4 A. It's personal.</p> <p>5 Q. It's personal. It's not what other people</p> <p>6 want, correct?</p> <p>7 A. I -- I can't read their minds.</p> <p>8 Q. At least you're not sitting here saying that</p> <p>9 you're completely confident that what you want out of</p> <p>10 this lawsuit is what other people want?</p> <p>11 A. You know what, keep the machines there and</p> <p>12 don't let them put in any money and don't let them</p> <p>13 take any money out. See how long they last. Let 'em</p> <p>14 pay rent.</p> <p>15 Q. But to answer my question, and I think you</p> <p>16 already did, but I'm going to ask it for the record.</p> <p>17 You're not sitting here saying --</p> <p>18 A. No.</p> <p>19 Q. -- everyone who plays these devices wants --</p> <p>20 or who has played these devices during the time period</p> <p>21 at issue in this lawsuit --</p> <p>22 A. Want --</p> <p>23 Q. -- wants the same thing you want, correct?</p> <p>24 A. Correct.</p> <p>25 Q. For each of the Torch devices that you've</p> <p>31</p>	<p>1 Q. So, other than exchanging pleasantries.</p> <p>2 A. That's it.</p> <p>3 Q. Okay. But to the extent these people have</p> <p>4 ever interacted with a Torch device or expressed any</p> <p>5 motives as to why, or what their experience was, or</p> <p>6 whether they won or loss, you don't have any firsthand</p> <p>7 knowledge of any of that, correct?</p> <p>8 A. I do not.</p> <p>9 Q. And they have not said anything to you about</p> <p>10 that, correct?</p> <p>11 A. Correct.</p> <p>12 Q. You have not said anything to them about why</p> <p>13 you've interacted with these Torch devices or what</p> <p>14 your experiences were, correct?</p> <p>15 A. Correct.</p> <p>16 Q. I've asked you about Mohammed Almuttan. Do</p> <p>17 you know Rami Almuttan?</p> <p>18 A. Nope.</p> <p>19 Q. Why did you sue Mohammed Almuttan and Mally,</p> <p>20 Inc., if you don't know anything about them?</p> <p>21 A. It's not them. It's the equipment. I don't</p> <p>22 know them. I'm only here to hope to take the</p> <p>23 equipment off the streets.</p> <p>24 Q. You testified that you are here only</p> <p>25 comfortable testifying about your own experience and</p> <p>33</p>

<p>1 Torch, three, five, ten. I have no idea. I have just 2 played the one closest to the door. 3 Q. The January 3rd, 2023 occasion referenced in 4 paragraph 5, that was, I think, you testified, the 5 very first time that you alleged to have played a 6 Torch device, correct? 7 A. For -- correct. 8 Q. And was that before or after you had heard 9 about this potential litigation? 10 A. That was before. 11 Q. And was that before or after you had been 12 informed that the Torch devices were illegal? 13 A. That was before. 14 Q. How long before this January 3rd, 2023 15 occasion, how long had it been prior to that since you 16 played a casino slot machine? 17 A. Years. Decades. I go into the casino, I do 18 not play them. And I manage -- 19 Q. How many years -- 20 A. -- my wife. 21 Q. Sorry. I didn't mean to cut you off. 22 A. That's all right. 23 Q. And prior to this January 3rd, 2023, 24 occasion, is the same response that you haven't 25 gambled in any fashion for those same decades that you</p> <p style="text-align: right;">50</p>	<p>1 And he brought it up that -- that they weren't legal 2 machines. 3 Q. And -- 4 A. Then we started -- 5 Q. -- I thought this was just chitchat. This 6 wasn't -- you weren't soliciting him, advice, on that 7 particular -- 8 A. No. This was about dif -- 9 Q. -- matter? 10 A. -- this was about a different case. 11 Q. And then did he refer you to Joe Jacobson or 12 somebody there, Plaintiff's counsel, about this case 13 and potentially becoming a Plaintiff? 14 A. Yes. 15 Q. Do you know, did that happen between 16 January 3rd and January 28th of 2023? 17 A. Oh, no. It was a couple months after I had 18 played them. 19 Q. Okay. Are you -- you've said a few times 20 that you now believe that the machines are illegal. 21 Why do you believe that the machines are legal -- are 22 illegal? Sorry. 23 A. Because it was told to me. 24 Q. You, personally, I -- you, personally, do 25 you have an understanding of why you believe that the</p> <p style="text-align: right;">52</p>
<p>1 mentioned? 2 A. Correct. 3 Q. So, I'm just a little confused on why a guy 4 who says, you know, you have this experience, and it 5 led you to never ever want to gamble again, which I 6 respect, suddenly, as you say, decades later on 7 January 3rd, 2023, decided on that occasion to throw 8 \$20 into a machine and, as you say, intend to gamble? 9 A. I just decided to throw in 20 bucks, that 10 was it. I can control myself if I really wanted to, 11 and I controlled myself to lose \$20. 12 Q. Was your intent in doing that to position 13 yourself to potentially become a plaintiff in this 14 litigation? 15 A. No. I already told you that I had no idea 16 about them. 17 Q. So, at that time, you believe the machines 18 to be legal? 19 A. At that time, yes. 20 Q. When was the first occasion that you 21 believed that the machines were illegal? 22 A. I couldn't tell you an exact date. But it 23 wasn't too long after that I was in the office of my 24 attorney, Karl Lemp, and I just happened to tell him I 25 threw a couple of bucks into a machine and lost it.</p> <p style="text-align: right;">51</p>	<p>1 Torch devices are illegal under Missouri law? 2 A. Personally, I -- I do. I don't -- I don't 3 know 100 percent the legalities about them. I've been 4 told that they feel that they've been illegal, and I 5 go with that. 6 Q. Do you know -- 7 A. I'm not an attorney to understand the whole 8 law. 9 Q. No, I -- I appreciate that. 10 Do you know what the definition is of a, 11 quote, gambling device, end quote, under Missouri law? 12 A. Do you? 13 No, I do not. I couldn't tell you word for 14 word unless I read it. 15 Q. Okay. Do you know if there's any sort of 16 specific elements that a device must have in order to 17 be classified a, quote, gambling device, end quote, 18 under Missouri law? 19 A. No. 20 Q. If I told you that it had to have an element 21 of chance, would you have any reason to dispute that? 22 A. I don't know. 23 Q. You don't know one way or another, right? 24 A. Correct. 25 Q. But I -- fair to say, just as you understand</p> <p style="text-align: right;">53</p>